

(2010) 11 P&H CK 0487

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M 26719 of 2010

Sammi Devi

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision: Nov. 15, 2010

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 438
- Penal Code, 1860 (IPC) - Section 316, 34

Hon'ble Judges: Jaswant Singh, J

Bench: Single Bench

Judgement

Jaswant Singh, J.

Prayer is u/s 438 Cr.PC for grant of pre-arrest bail to the Petitioner Sammi Devi in case FIR No. 108 dated 21.7.2010 under Sections 316 and 34 of Indian Penal Code registered with Police Station Moonak, District Sangrur, who is a relative of complainant-Surjit Kaur.

2. As per allegations there was a dispute with regard to throwing of garbage in the drain of the street. The dispute had led to a scuffle wherein Prem Singh son of the Petitioner Sammi Devi is alleged to have given kick blows on the stomach of the complainant resulting into the death of the child in the womb of the complainant.

3. Learned Counsel for the Petitioner submits that Petitioner is a 65 years old lady and has been falsely implicated in the case. It was further contended that no injury is found on the person of the injured-complainant. Learned Counsel for the Petitioner further states that the matter between the parties has been compromised.

4. Learned State counsel on instructions from HC Gurmail Singh submits that as per the MLR there was no external injury found on the person of the complainant. He further states that pursuant to the interim order passed by this Court Petitioner has joined the investigation and she is no longer required for custodial interrogation.

5. In view of the above, interim protection/bail granted vide order dated 13th of September, 2010 is made absolute.

6. Petition stands disposed of.